

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) 3:14-CR-003-MMD-(VPC)
)
GARY LEE CROWDER,)
)
Defendant.)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on July 31, 2014, defendant GARY LEE CROWDER pled guilty to Count One of a One-Count Indictment charging him with Receipt of Child Pornography in violation of Title 18, United States Code, Section 2252A(a)(2). Indictment, ECF No. 1; Plea Agreement, ECF No. 28; Change of Plea, ECF No. 30.

This Court finds defendant GARY LEE CROWDER agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Indictment. Indictment, ECF No. 1; Plea Agreement, ECF No. 28; Change of Plea, ECF No. 30.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Indictment and the offense to which defendant GARY LEE CROWDER pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 2253:

1. HP 2000 Laptop (S/N: CNU2371XZ4);

2. Samsung TV & remote, Model LN40A500T1F (S/N: ARVY3CEQA10342M);
3. Three thumb drives;
4. Western Digital Hard Drive (S/N: WMACM1261595);
5. Dell Studio XPS Desktop Computer Service Tag: 5L33SL1;
6. Dell Computer Monitor, Model, ST2010B (S/N: MX-0R7VV2-74262-03I-1C2S);
7. WD External Hard Drive (S/N: WMAVY0031685);
8. HP Pavilion Desktop Computer (S/N: MXY4491XLL); and
9. any visual depiction or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in violation of Title 18, United States Code, Section 2252A

(all of which constitutes "property").

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of GARY LEE CROWDER in the aforementioned property is forfeited and is vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the time under the applicable statute when a petition contesting the forfeiture must be filed, and state the name and contact information for the government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

...

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
2 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate
3 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the
4 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and
5 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's
6 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's
7 petition and the relief sought.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
9 with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South
10 Virginia Street, 3rd Floor, Reno, NV 89501, no later than thirty (30) days after the notice is sent or, if
11 direct notice was not sent, no later than sixty (60) days after the first day of the publication on the
12 official internet government forfeiture site, www.forfeiture.gov.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
14 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
15 following address at the time of filing:

16 Greg Addington
17 Assistant United States Attorney
18 100 West Liberty Street, Suite 600
19 Reno, NV 89501

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
21 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
22 following publication of notice of seizure and intent to administratively forfeit the above-described
23 property.

24 DATED this 7th day of August, 2014.

25 

26 UNITED STATES DISTRICT JUDGE